

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Bluefire Wireless, Inc.,

Plaintiff,

-against-

Cloud9 Mobile Communications, Ltd., Cloud9 Mobile  
Communications (Wholesale Services), Ltd., Cloud9  
Mobile International, Ltd., Wire9 Telecom, Ltd., Cloud9  
Mobile Communications PLC, David Sutton, Lee Jones,  
Jean Christophe Viguiet, and Martin Holloway,

Defendants.

Case No.: 09 CV 7268 (HB)(FM)

ECF CASE

**NOTICE OF MOTION**

PLEASE TAKE NOTICE that upon the Plaintiff's Complaint, and the Declarations and Memorandum of Law accompanying this motion, Defendants, Cloud9 Mobile Communications, Ltd. (formerly known as Cloud9 Mobile Communications PLC), Cloud9 Mobile Communications (Wholesale Services), Ltd., Cloud9 Mobile International, Ltd., Wire9 Telecom, Ltd., David Sutton, Jean Christophe Viguiet, and Martin Holloway, by their attorneys Law Office of Donovan Wickline, PC, will move this Court on a date to be set by the Court at the United States Courthouse located at 500 Pearl Street, Room 23B, New York, New York 10007, for an order dismissing Plaintiff's Complaint (1) pursuant to Federal Rules of Civil Procedure ("FRCP") Rule 12(b)(2) for lack of personal jurisdiction; or, alternatively, (2) pursuant to FRCP Rule 12(b)(3) for improper venue and *forum non conveniens*; or, alternatively, (3) pursuant to FRCP Rule 12(b)(6) for failure to state a claim upon which relief can be granted; and for such further relief as the Court deems just and proper.

Pursuant to Local Rule 6.1, your response to this motion shall be served within ten business days after service of this Notice of Motion.

Dated: Brooklyn, New York  
September 15, 2009

LAW OFFICE OF DONOVAN WICKLINE, PC

By: 

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Attorneys for Cloud9 Mobile Communications, Ltd.(formerly known as Cloud9 Mobile Communications PLC), Cloud9 Mobile Communications (Wholesale Services), Ltd., Cloud9 Mobile International, Ltd., Wire9 Telecom, Ltd., David Sutton, Jean Christophe Viguiet, and Martin Holloway

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